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REMARKS

Claims 1-4 and 6-16 are pending in this application. Claim 1 is independent.

Claim Rejection - 35 USC 103; Fitzpatrick, Fernando

Claims 1-4 and 11-13 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzpatrick et al. (U.S. Patent 5,420,936) in view of Fernando et al. (U.S. Patent 6,193,152).

Based on the new reference Fernando, the Office Action presents an argument that the combination of Fitzpatrick and Fernando teaches a coordinate designating means for designating coordinates related to fingerprint reading and a coordinate designating means for designating coordinates related to secret number reading, but the coordinates are not designated simultaneously. The Office Action states in a section "Response to Arguments" that by adding a limitation to claim 1 that fingerprint reading and secret number acquiring occur simultaneously or concurrently, the claim could at least distinguish over the combination of references.

The claimed "coordinate designating means for designating coordinates related to fingerprint reading" and "secret number acquiring means for acquiring a secret number based on said designated

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coordinates" was intended as being that the designated coordinates relate to both fingerprint reading and secret number acquiring. In order to clarify this intended meaning, claim 1 has been amended as recommended by the examiner to include the term "concurrently." Accordingly, Applicants respectfully request that the rejection be withdrawn.

Remaining Claim Rejections

Because claim 1 is the only independent claim, Applicants submit that the dependent claims are allowable for at least the same reason as in the above for claim 1.

The Office Action also provides additional arguments pertaining to claims 7 and 14 in the section "Response to Arguments." With respect to claim 7, the Office Action presents an argument that matching a password related to a fingerprint is a non-obvious difference over matching fingerprints. With respect to claim 14, the Office Action presents an argument that a system that executes commands teaches the claimed execution level. With respect to the former, Applicants submit that no evidence has been provided to suggest that because there is a match in plain text that there would be a match in fingerprints. Thus, Applicants maintain that Angelo, in combination with Fitzpatrick and Fernando, does

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not teach the claimed element of claim 7 and respectfully request that the rejection be withdrawn.

With respect to claim 14, Applicants submit that Shieh does not disclose an execution level of a designated menu area in addition to an execution level associated with an authorized user, as recited in the claim. Thus, for at least this addition reason, Applicants submit that Fitzpatrick, Fernando and Shieh fail to teach each and every claimed element of claim 14. Applicants respectfully request that the rejection be withdrawn.

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CONCLUSION

In view of the above amendments and remarks, reconsideration of the various rejections and allowance of claims 1-4, 6-16 is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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